



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

**JUL 30 2014**

Jason Delto  
EHS&S Manager  
Canyon State Oil  
2640 N 31<sup>st</sup>. St.  
Phoenix, AZ 85009

Reference No. 14-0033

Dear Mr. Delto:

This is in response to your February 19, 2014 e-mail requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the proper certification date for the pressure testing of portable tanks. Specifically, you ask if a 330 gallon portable tank without a current certification date for pressure testing under § 180.605(k) can be used to ship a non-hazardous material?

The answer is no. Under § 171.2(g), no person may represent or offer a packaging as meeting the requirements of the HMR unless the packaging is maintained, marked, and retested in accordance with the applicable requirements of the HMR when transported in commerce. These requirements are applicable whether or not the packaging is used for the transportation of a hazardous material. Therefore, if the UN standard or DOT specification packaging used at your facility is not maintained in accordance with the HMR, we recommend you securely cover any identifying marks or specification plates representing it as such.

I hope this satisfies your request.

Sincerely,

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Andrews  
3180.605(k)

**Drakeford, Carolyn (PHMSA)**

**From:** INFOCNTR (PHMSA)  
**Sent:** Wednesday, February 19, 2014 2:06 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Poly Tote Letter of interpretation  
**Attachments:** 20140219\_084745.jpg; 20140219\_084849.jpg

Portable Tanks  
14-0033

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation.

Thanks,  
Victoria

**From:** Jason Delto [mailto:Delto@scfuels.com]  
**Sent:** Wednesday, February 19, 2014 12:22 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Poly Tote Letter of interpretation

Dear sirs,

Our company has recently received a violation in the State of Nevada for having 330 gallon poly totes without a proper certification date for pressure testing as required under CFR49 PT 180.605(k) which states:

- *Inspection and test markings.* (1)  
Each IM or UN portable tank must be durably and legibly marked, in English, with the date (month and year) of the last pressure test, the identification markings of the approval agency witnessing the test, when required, and the date of the last visual inspection. The marking must be placed on or near the metal identification plate, in letters and numerals of not less than 3 mm (0.118 inches) high when on the metal identification plate, and 12 mm (0.47 inches) high when on the portable tank.

We do not haul any product of a hazardous nature in these vessels. (please see included Pictures.)

Therefore, we are looking for a "Letter Of Interpretation" that will notify the local state agencies of the exception for this and other regulations they believe might apply, and don't as a result of the lack of HAZMAT product being hauled.

Please let me know if you have any questions that may help with our request.

Thank you,

Jason Delto  
EHS&S Manager - Southwest Region  
Canyon State Oil - SC Fuels

2640 N. 31<sup>st</sup>. Ave

Phoenix AZ 85009

602.269.7981 Office

602.689.4635 Cell



83517

**IMPORTANT!**  
**READ CAREFULLY**

USE FOR IMMEDIATE RELEASE

TO THE EDITOR OF THE NEW YORK TIMES:

I am writing to you today to express my appreciation for the excellent work you have done in reporting on the activities of Snyder Industries, Inc. and the many other companies that are part of the American Industrial Complex.

I am proud to say that Snyder Industries, Inc. has been in business for over 40 years and has a reputation for reliability and quality. We are committed to safety and quality in everything we do, and we are proud to be a part of the American Industrial Complex.

I am sure that your readers will be interested to learn that Snyder Industries, Inc. is a leading manufacturer of industrial machinery and equipment. We have a wide range of products, including lathes, mills, and drilling machines, and we are constantly developing new products to meet the needs of our customers.

I am sure that your readers will also be interested to learn that Snyder Industries, Inc. is a member of the American Industrial Complex, which is a group of companies that are committed to safety and quality in everything they do. We are proud to be a part of this group and to contribute to the American Industrial Complex.

I am sure that your readers will be interested to learn that Snyder Industries, Inc. is a company that is committed to safety and quality in everything we do. We are proud to be a part of the American Industrial Complex and to contribute to the American Industrial Complex.

Sincerely,  
J. M. Snyder, President

Snyder Industries, Inc.  
1000 Broadway  
New York, N.Y. 10003



TRIP

67

15W40

MOTELLA

7

15